

D.B. CIVIL SPECIAL APPEAL (W) No.811/2007
Geeta Yadav
Vs.
Vardhman Mahaveer Open University & Ors.

Date of Order :: 31-05-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri G.P. Kaushik for the appellant.

The dispute in this appeal relates conferment of Ph.D. Degree. The learned Single Judge dismissed the writ petition observing that as per the report of the research wing, the thesis submitted by the appellant was not an original work, and the same had been copied almost word by word from two earlier research works.

It is submitted by counsel for the appellant that the observation of the learned Single Judge relates to the show-cause notice and no final decision has been taken by the University in the matter. We may mention here that in the reply submitted pursuant to the notice, vide para 9 thereof, the appellant admitted that she had copied from Karan Singh's book. According to her however, the work of Karan Singh relates to the State of Rajasthan whereas the subject of research of the appellant is the State of Haryana. We do not wish to make any comments though prima facie it appears that the allegation of copying stands admitted.

Counsel submitted that in any view of the matter, the appellant is entitled to a decision by the University. We find from perusal of the writ petition that the appellant had prayed for direction to grant/confirm the degree of Ph.D. to her and till then, stay the convocation scheduled to be held on 10.1.2007. No prayer was made for direction to take decision on the reply.

Be that as it may, it is open to the appellant to pursue the matter in the university. We find no error in the order of the learned Single Judge to warrant interference by the Division Bench.

The appeal is dismissed.

[MOHAMMAD RAFIQ], J.

[S.N.JHA], CJ.

Skant/-